Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20054

In the Matter of)
)
Amendment of Part 90 of the Commission's	3)
Rules to Provide for Flexible Use of the) WT Docket No. 05-62/DA 04-3013
896-901 MHz and 935-940 MHz Bands)
Allotted to the Business and Industrial)
Land Transportation Pool)

To: The Commission

COMMENTS OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

The National Public Safety Telecommunications Council (NPSTC) hereby submits the following comments in response to the Commission's Notice of Proposed Rule Making, released February 10, 2005, WT Docket No. 05-62/DA 04-3013, in which the Commission seeks input regarding amending Part 90 of the Rules to facilitate more flexible use of the 199 channels allocated to the Business and Industrial Land Transportation ("B/ILT") pools in the 896-901/935-940 MHz (900 MHz) bands.

Formed on May 1, 1997, NPSTC is a federation of associations representing public safety telecommunications. NPSTC currently consists of the following thirteen organizations:

American Association of State Highway and Transportation Officials
American Radio Relay League
American Red Cross
Association of Public-Safety Communications Officials-International
Forestry Conservation Communications Association
International Association of Chiefs of Police
International Association of Emergency Managers
International Association of Fire Chiefs
International Association of Fish and Wildlife Agencies

International Municipal Signal Association National Association of State Emergency Medical Services Directors National Association of State Telecommunications Directors National Association of State Foresters.

NPSTC was originally formed to encourage and facilitate implementation of the findings and recommendations of the Public Safety Wireless Advisory Committee (PSWAC), established in 1994 by the Federal Communications Commission (FCC) and National Telecommunications and Information Administration (NTIA) to evaluate the wireless communications needs of local, tribal, State, and Federal public safety agencies through the year 2010, identify problems, and recommend possible solutions.

NPSTC has since taken on additional responsibilities including implementing the recommendations of the National Coordination Committee (NCC) and the support and development of the Computer Assisted Pre-coordination and Resource Database System (CAPRAD) for 700 MHz spectrum to assist the Regional Planning Committees (RPCs). NPSTC develops and makes recommendations to appropriate governmental bodies regarding public safety communications issues and policies that promote greater interoperability and cooperation between Federal, State and local agencies. Issues include: Spectrum Resources, 800 MHz rebanding, 700 MHz, 4.9 GHz, Software Defined Radio (SDR), US/Canadian/DTV Transition, Project MESA, Amateur Radio, Regional Planning Committees (RPCs), State Interoperability Executive Committees (SIECs), Broadband, and the International Telecommunications Union.

NPSTC applauds the efforts of the Commission as we believe the desired goals of this proceeding of providing service to the public consistently and expeditiously, allowing the marketplace to respond to consumer demands, and allowing for flexible use

of the spectrum will greatly aid in the facilitating band reconfiguration under way at 800

MHz. The National Public Safety Telecommunications Council believes a window of

opportunity also exists for this proceeding to provide another avenue of assistance to

public safety. NPSTC respectfully urges the Federal Communications Commission

("Commission") to allocate channels within the B/ILT pool in the 900 MHz band to

public safety for digital paging.

Public safety also stands to benefit from market place innovation driven by consumer

demand. Off the shelf technology could be utilized by public safety to provide paging services at

a reduced cost, while preventing the formation of a niche market. Coupling the allocation with

the timing of the 800 MHz band reconfiguration would provide an opportunity for public safety

agencies to update their paging technologies.

NPSTC agrees with the Commission that the best regulatory framework for such a 900

MHz allocation would be the proposed area licensing approach. That regulatory model would be

a sound methodology for allocating frequencies to public safety for digital paging.

Respectfully submitted,

Vincent R. Stile, Chair

NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

68 Inverness Lane East, Suite 204

Englewood, CO 80112-5108

1-866-807-4755

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3